

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**CHARITY KOSTELAC,**

**Defendant.**

**No. 18-Cr-30023-DRH**

**ORDER**

**HERNDON, District Judge:**

Now before the Court is defendant's motion to continue trial (doc. 18). Defendant states that as of March 2018, she suffered a medical condition, the consequences from which she is still recovering. The government does not object to a continuance of the trial. The Court being fully advised in the premises finds that defendant needs additional time to recover from her injuries before proceeding to trial. The Court finds that pursuant to 18 U.S.C. § 3161(h)(7)(A), the ends of justice served by the granting of such continuance outweigh the best interests of the public and defendant in a speedy trial. The Court also finds that to deny a continuance of the matter would result in a miscarriage of justice.

Therefore, the Court **GRANTS** defendant's motion to continue trial (doc. 18).

The Court **CONTINUES** the jury trial scheduled for May 14, 2018<sup>1</sup> to **August 13, 2018, at 9:00 a.m.** The time from the date the original motion was filed, April 27, 2018, until the date to which the trial is rescheduled, August 13, 2018, is excludable time for the purposes of speedy trial.

Should either party believe that a witness will be required to travel on the Justice Prisoner and Alien Transportation System (JPATS) in order to testify at the trial of this case, a writ should be requested at least two months in advance.

**IT IS SO ORDERED.**

*David Herndon*



Judge Herndon

2018.05.01

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**United States District Court**

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<sup>1</sup> In her motion, defendant erroneously states the trial is currently set for May 11, 2018.